IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.7217 OF 2007

Somnath Tukaram Salunkhe : Petitioner

versus

Grampanchayat Wagalwadi,
Wagalwadi, Pune and ors. : Respondents

Mr.Rahul S. Kate for the Petitioner.
Mr.S.B.Shetye for Respondent No.3.
Ms.V.S.Mhaispurkar for Respondent Nos.2 and 4.

CORAM : A.P.DESHPANDE, J.

DATED : SEPTEMBER 27, 2007.

P.C.

1. The petitioner questions legality and validity of an order passed by the Returning Officer rejecting the nomination form of the petitioner on the ground that the petitioner was in arrears of taxes and thus not eligible to

contest the election.

2. Perusal of the election program clearly reveals that the final list of contesting candidates is out and the symbols are also allotted. What remains is only the actual casting of votes by the voters. As all the stages before voting are over, the present petition cannot be decided unless and until the election process is obstructed or halted, which is improper in view of the law laid down by the Supreme Court in Sant Sadguru's Judgment. In this, view of the matter, the writ petition is summarily dismissed. It shall be open for the petitioner to file an appropriate election petition.

[A.P.DESHPANDE,J]